

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA

Alexandria Division

UNITED STATES OF AMERICA

v.

Case No. 1:21-MJ-225

ADAM MACLAURY,

Defendant.

AFFIDAVIT IN SUPPORT OF A CRIMINAL COMPLAINT

I, Jason Jankovitz, being first duly sworn, hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I make this affidavit in support of a criminal complaint for ADAM MACLAURY (MACLAURY) for violations of Title 18 U.S.C. §§ 922(g) (possession of firearm by unlawful user of controlled substance) and 924(a)(1)(A) (false statement on firearms purchase forms) (the “Target Offenses”), and violation of Title 26 U.S.C. § 5861 (possession of an unregistered firearm).

2. I am a Special Agent with the Federal Bureau of Investigation (“FBI”), assigned to the Washington Field Office. I have been an FBI Special Agent since 2016. I hold an advanced degree in National Security Studies. I work as part of the Washington, D.C. Joint Terrorism Task Force, investigating crimes committed by racially motivated violent extremists and other domestic terrorism related matters. Additionally, I have received specialized training from the FBI relevant to the investigation of weapons, narcotics, and computer-related crimes, including computer forensics training.

3. I have personally participated in this investigation and have witnessed many of the facts and circumstances described herein. I have also received information from other law enforcement and intelligence officials related to this investigation. The statements contained in this affidavit are based on my own observations, review of documents, and reliable information provided to me by other law enforcement officials.¹ This affidavit is intended to show merely that there is sufficient probable cause for the complaint and does not set forth all my knowledge about this matter.

SUMMARY OF FACTS TO SUPPORT PROBABLE CAUSE

36. On January 6, 2021, MACLAURY and an associate of MACLAURY (ASSOCIATE 1) were present at the riots that took place at the U.S. Capitol, which were intended to disrupt Congress's attempt to certify the vote count of the Electoral College of the 2020 Presidential Election ("Certification"). At the time, the exterior plaza of the U.S. Capitol was closed to members of the public. During the events leading up to the riots, ASSOCIATE 1 introduced himself to a Metropolitan Police Department Undercover Employee (MPD UCE) in the vicinity of Freedom Plaza, Washington, D.C.

37. On January 13, 2021, the MPD UCE introduced an undercover employee with the FBI (UCE) to ASSOCIATE 1. During this meeting, UCE learned that ASSOCIATE 1 belonged to a loosely affiliated, unnamed group of like-minded individuals. When describing the group, ASSOCIATE 1 compared it to a known militia group located in Northern Virginia but stated his group's mission was different because they "can't be out in the open" and asserted they need to

¹ An agent involved in the present investigation was involved in a line-of-duty shooting. That shooting is presently under investigation by the Department of Justice.

be “a little more cloak and dagger.” He stated “My objective is to find guys, local to this area, guys that we can, kind of, exchange information, build a more robust network. And I think that’s key, especially with everything going no right now, as much as I hate the situation, we have to accept it as well. And so how do we deal with it? Community. And this is how we build resistances and what not, in terms of planning for what will inevitably come as a worst, right? Worst case scenario for any people that, freedom loving, liberty minded, pro 2A type of folks... and our focus is predominantly Virginia 2A, Virginia first, 2A. But to what end will Virginia still remain Virginia. Because I grew up here. My blood is Virginia and I’d hate to leave it. And that was something that he and I have talked about, we should uproot and just go to Texas. Me, cause I’d hate to leave Virginia like that. For me, you can only run for so long, eventually you got to make a stand. I spent, my family spent two generations running from communists. First in China and then in Vietnam, now we’re here. And at a certain point, you just gotta make a stand.” Based on my training and experience, as well as the context, I believe “2A” is a reference to the Second Amendment, which includes the right to keep and bear arms.

38. On approximately January 19, 2021, ASSOCIATE 1 added UCE to an encrypted messaging platform chat group with other members of the group. One of the members of the encrypted messaging platform chat group was MACLAURY, username MADAX using phone number 703-389-4100. Legal process subsequently confirmed that MACLAURY is the subscriber associated with this phone number. Based on their subsequent statements and confirmed by investigation including review of video footage and testimony of undercover officers, several other members of the group, including MACLAURY, were present at the protests and riots at the U.S. Capitol on January 6, 2021.

39. Following the events of January 6, 2021, and the subsequent improvements in the U.S. Capitol security perimeter, members of the group planned and executed surveillance activities of the U.S. Capitol. They were specifically intent upon determining weaknesses within the fence system and identifying the number of and actions of the Capitol Police officers and National Guardsmen securing the perimeter. As a member of the encrypted messaging platform chat where the conversation took place, MACLAURY was privy to these planning communications.

40. On February 12, 2021, MACLAURY was present at a meeting with other members of the group at ASSOCIATE 1's residence. During this meeting, members of the group discussed mirroring their group after an ongoing cessation movement called the State of Appalachia, and forming a semi-autonomous region separate from the US Government. Another member of the group (ASSOCIATE 2) and other members of the group also expressed their propensity to commit violent acts in order to prevent their incarceration at the hands of a "compromised" U.S. government. Soon after these comments were made, ASSOCIATE 2 showed his personal firearm to MACLAURY. The group planned to conduct training to prepare for any future conflict, including training in firearms training, combatives (i.e., hand-to-hand combat), and physical training. In response to the need for land to conduct the training, MACLAURY offered to facilitate the acquisition of land owned by his friend in West Virginia to accommodate this training.

41. MACLAURY is known to seek advice on procuring, training with, and shooting firearms from other members of the group, as they frequently discuss the need for firearms and openly display their firearms to one another. On February 27, 2021, MACLAURY was present

at a meeting with other members of the group at 1209A North Taft St, Arlington, Virginia. At that meeting, UCE observed MACLAURY carrying a sub-compact Sig Sauer 9mm handgun concealed in his waistband. While discussing National Firearms Act (NFA) regulations at this meeting, another member of the group (ASSOCIATE 3) made comments to indicate his desire to commit illegal firearms acts. During the conversation, for which MACLAURY was present, ASSOCIATE 3 commented in regards to acquiring NFA tax stamps prior to acquiring NFA items, "You're supposed to, but, you know, free men don't ask permission."

42. On March 20, 2021, the group, including UCE, met at 6514 Tidewater Trail, Champlain, Virginia to conduct firearms training. During that firearms training, MACLAURY fired a short-barreled rifle (SBR) that UCE brought to the training. After firing UCE's SBR, MACLAURY messaged UCE on the encrypted messaging platform on March 22, 2021 and asked if UCE's associate, who MACLAURY believed had supplied UCE with the SBR, "would be willing to build a similar set up for me if/when I can get the necessary funds for it together?"

43. After conducting multiple hours of firearms practice on March 20, 2021, the group then held a meeting and vote in which they approved the use of funds collected by members of the group to purchase computer equipment. This equipment was intended to create a private, encrypted communications infrastructure through which the group would not be subject to technical surveillance from law enforcement. The group unanimously voted in favor of the proposed purchase. MACLAURY was a voting member of the group.

44. On April 15, 2021, UCE observed MACLAURY again carrying a sub-compact Sig Sauer 9mm handgun at a group meeting. He stated he was open carrying at the time because

of a physical altercation in which he was recently involved. MACLAURY also stated he did not yet possess his concealed carry permit but was in the process of acquiring the license.

45. On this same day, MACLAURY told UCE that he frequently purchased marijuana in Washington, D.C. without an approved license at a store called The Safe House, located at 99 H Street, Northeast, Washington, D.C. MACLAURY commented that he wasn't actually "purchasing" the marijuana, but was instead purchasing a post card. Based on my training and experience, I know stores will commonly sell a small item, such as a postcard, and give the marijuana to the customer as a "gift" in order to claim that they are not selling marijuana. The customer still ends up with marijuana at the end of the transaction.

46. Later on April 15, 2021, MACLAURY told UCE that he drove a group of individuals, who he referred to as Proud Boys, from the airport and drove them to the U.S. Capitol on January 6, 2021, prior to the protests and riots at the U.S. Capitol. He stated he was not a member of the PROUD BOYS, but was very close to joining the group, as he had a copy of their charter and found it hard to disagree with them.² MACLAURY also made statements to UCE that indicated he was an extremist and involved in an extremist movement. In reference to the Capitol riots on January 6, 2021, MACLAURY remarked "After the 6th, I was done with being boots on the ground for the fucking movement. I was so pissed." He later went on to

² Upon information and belief, Proud Boys is a nationalist organization with multiple US chapters and potential activity in other Western countries. The group describes itself as a "pro-Western fraternal organization for men who refuse to apologize for creating the modern world; aka Western Chauvinists." Proud Boys members routinely attend rallies, protests, and other First Amendment-protected events, where they sometimes engage in violence against individuals whom they perceive as threats to their values. The group has an initiation process for new members, who often wear yellow and black polo shirts or other apparel adorned with the Proud Boys logo to events.

explain his ideology and the benefits of not working for the government. Due to him not being connected to the US government, he commented, "Yeah, I'm an extremist, what are you going to do? I've got the first amendment to hide behind mother fucker."

47. At the completion of the group meeting on April 21, 2021 and in response to MACLAURY inquiring again about purchasing an SBR from UCE, UCE said, "Just to be clear because I don't want to put you in a spot you don't want to be in," intending to confirm that MACLAURY understood that it was not legal for MACLAURY to possess the SBR. But MACLAURY cut off UCE before he could finish and said, "It is a very illegal firearm." UCE asked, "And you're cool with that?" MACLAURY replied, "It won't exist." UCE then said, "That's the thing, it doesn't exist for me." And MACLAURY said, "It doesn't. I'm not looking to go on any second amendment god damned walks with it." UCE then said, "You didn't get it from me." And MACLAURY said, "I don't know who you are when it comes to that. Are you kidding me? I found this shit here. It's my grandma's." UCE said, "Just making sure we're on the same page." And MACLAURY said, "Yeah, don't worry. I'm cool...This is not my first rodeo with keeping shit clean."

48. On April 29, 2021, during a group meeting, MACLAURY said he primarily joined the group for defensive purposes. He also expressed an interest in purchasing a large piece of land and setting up a compound where the group could train and build fortifications. MACLAURY also told UCE during this meeting he was smoking marijuana in his residence for the majority of the day by himself. MACLAURY told UCE he smokes approximately a half ounce of marijuana weekly. He commented that he knowingly did not indicate that he was addicted to marijuana when he recently completed his concealed weapon permit. MACLAURY

said he did not consider himself addicted because he could stop using if he wanted to but did not have a reason to stop.

49. At the conclusion of this meeting on April 29, 2021, ASSOCIATE 2 told UCE and MACLAURY that he could cause a sizeable explosion at his residence by sticking his soldering iron into one of the numerous propane tanks on his porch. ASSOCIATE 2 and MACLAURY commented that this would be a good way to “go out,” or something similar, if needed.

50. On May 21, 2021, in a conversation with UCE on the encrypted messaging platform, MACLAURY re-introduced the idea of purchasing a SBR from UCE. UCE then said, “I could sell you mine and then I could buy another one.” MACLAURY said, “How much you want for it?” The two discussed the price and UCE said, “But hey, you know mine’s an SBR though. And you’re cool with that?” And MACLAURY said, “So what do I gotta do to make that kosher? Nothing. I just gotta keep it quiet.” UCE then said, “Yeah, keep it quiet.” Later UCE explained how MACLAURY could make the SBR legal: “OK, you could do two things. You could buy a full length receiver, like a full length barrel, that you could put on top.” MACLAURY objected, saying, “That’ll change the way it shoots.” UCE said, “It’s a different gun at that point.” MACLAURY then asked, “What about the stock? Or brace?” UCE replied, “The stock doesn’t change it. It’s specifically the barrel length.” MACLAURY said, “Well fuck it. I still want yours.” UCE and MACLAURY then discussed UCE getting a new rifle and selling his SBR to MACLAURY. MACLAURY later said, “I don’t like the writing on the wall and I just want it. This isn’t enough.” MACLAURY then pulled out his handgun from his

waistband and showed it to UCE. He continued, "You know to defend your household. This is enough to defend me."

51. At a meeting on May 21, 2021, at which MACLAURY was present, members of the group were discussing the use of various chemicals to create chemical weapons. ASSOCIATE 1 told the group that ASSOCIATE 4 would be stopping by during one of his work breaks and ASSOCIATE 2 said, "Oh, me and him get along about as well as brake fluid and pool chlorine. Which would make an opportunistic weapon given the opportunity." ASSOCIATE 1 responded to this by saying, "I was about to say, I was thinking of...ammonium cel-ummm, it's like bleach, mix it up with a few other things, like basic household chemicals, you get mustard gas." And ASSOCIATE 2 responded, "Don't do that, but, I wouldn't mind making CS MRE bombs. Well, that's um terrorism, felony." Based on my training and experience, as well as the context, I believe ASSOCIATE 1 was referring to making bombs using a chemical compound known as CS gas and the heating packet contained in military field meals known as "Meal, Ready-to-Eat." ASSOCIATE 1 responded, "Uh, why the hell do you think I have all those boxes of wine bottles there." ASSOCIATE 2 said, "Molotovs." And ASSOCIATE 1 said sarcastically, "Obviously, I'm going to be doing a few art projects that require flowers, my petunias, right? It's a poor man's vase." ASSOCIATE 1 later said, "I would not [he then sarcastically coughed], I would not think to put in a little bit of Styrofoam, a little bit of motor oil, and some gasoline in said wine bottles. I wouldn't have the first thought of doing that whatsoever." ASSOCIATE 2 then said, "You can get away with it. I can't. If I do that, I'm a white supremacist." ASSOCIATE 1 Then responded to this, "I'll claim the mental illness."

52. At a later time at this same meeting on May 21, 2021, and still in MACLAURY's presence, ASSOCIATE 1 introduced the idea of assaulting federal agents with a firearm. ASSOCIATE 1 was discussing his family's property and said, "It's at least 25 yards. I have my little range finder...I've measured out all the major landmarks around here. So I know if the federales ever come and they're standing at one of my designated spots, I know exactly what distance they're at." ASSOCIATE 1 later said, "Put some range flags up too...Let me get my windage. Uh, there we go. Got it. If it's under a hundred yards, you don't have to worry about that bullshit...ya know, I just like to talk shit. Especially all the normies are like, oh my god, a hundred yards is so far. If anyone's ever shot at a hundred yards with a rifle, it's cake."

53. ASSOCIATE 4 later arrived at the meeting on May 21, 2021. While discussing his activities in the Free Expression Foundation, he claimed "We are in a war right now in this country. A civil war. It's already started. And that's what we're here for." Case agents assess by "here," ASSOCIATE 4 is referring to the meeting among the group. ASSOCIATE 4 continued to say, "This is not the time to rally. It's not the time to protest. It's time to organize, have meetings like this. Get to know each other and network. That's what you need to do." After these and other comments about the Capitol Riots on January 6, 2021, ASSOCIATE 4 claimed he was present in Washington D.C. at the time of the riots to which MACLAURY, who was a part of the group listening to ASSOCIATE 4, responded he was there as well.

54. On approximately May 21, 2021, MACLAURY texted UCE over the encrypted messaging platform a picture of what appears to be a glass pipe used to smoke marijuana and sent UCE a text saying "Need to get over and have a time." Based on my training and

experience, I understand that MACLAURY was inviting UCE over to smoke marijuana with him.

55. On May 24, 2021, MACLAURY told UCE during a phone call conducted through the encrypted messaging platform that he was in the process of obtaining marijuana. MACLAURY said, "I tried to quit pot. But this morning, I was like fuck it, I need some again." Also on May 24, 2021, MACLAURY planned the transaction with UCE where MACLAURY would illegally acquire UCE's SBR. In their conversation, they discussed the price for the purchase of UCE's SBR. UCE and MACLAURY agreed that MACLAURY would give UCE his (MACLAURY's) handgun with accessories and ammunition and then would pay an additional \$600. UCE and MACLAURY agreed the handgun, accessories, and ammunition would be worth \$900. With the handgun and \$600, the sale for the SBR would be for a value of \$1500. MACLAURY told UCE he would be buying another handgun after he gives his handgun to UCE.

56. During this conversation on May 24, 2021, UCE told MACLAURY, "One of the things I like is, if you're cool with it man, if I buy yours and there's no paperwork involved. If you're cool with that? Right? You're not trying to do paperwork on any of this shit, right?" And MACLAURY answered, "I was gonna ask you about that. But if you don't want to, then I'm fine with not doing it." UCE later told MACLAURY, "One of the things I want here is, I want it under the table, I don't want any paperwork. So I'm willing to pay a little extra for your handgun." UCE later said, "I wanted to, one more time, because you're not, we're not fucking drunk. Cause I want you to know." MACLAURY cut off UCE and said, "You are not selling me this gun. If I'm caught with it, I have no idea where the fuck it came from." UCE then said,

"It doesn't come back to me, so I'm not worried about that. And I'm not worried about you diming me out. But I do want you to know man, because, I don't want to put you in a spot that you don't want to be in. I want to make sure you know man, that it's fucking illegal." MACLAURY then said, "Well here's the deal, I'm probably going to do something, like a welded flash hider, or something, ya know. I was talking to [ASSOCIATE 1] about it and he knows some of the hacks. He hasn't examined your thing yet but uh, I mean, we were talking about barrel length and that changed the whole thing, but a flash hider wouldn't necessarily change the firing mechanics too much. And [ASSOCIATE 1] was explaining to me, or [ASSOCIATE 5] was explaining to me that you can like, I don't remember the fucking phrase, but you can like pin weld, pin weld something, where it's like basically permanently attached but it's not wink wink, but for the law it's good. And then, I don't know what your stock is like yet, but if it's doable, he'll help me convert it to a pistol brace...either we're going to make it a pistol or a full length rifle. But don't worry about that part that will be my responsibility." UCE then said, "OK, but you know, just so you know though, the way it is right now, like it's fucking illegal." MACLAURY then said, "And I know, and I like that....I know, I'm not scared."

57. UCE further admonished MACLAURY when later stating "Until you fix it up with how you want to with [ASSOCIATE 1], you're cool keeping it sort of DL [down low]." MACLAURY responded, "I don't know what you're talking about. What DL?" UCE later told MACLAURY, "OK, last chance, before I fucking tell my boy, you're not going to piss me off, I'm not going to feel, I'm not going to think less of you if you don't want to do this so." MACLAURY responded, "Dude, I want to do this. This is happening. I budgeted for it. Uh,

\$600 is a doable price. I have enough money to buy the Sig and give you \$600. Um, yeah, this is what I want, this is what I want. Yeah.”

58. On June 10, 2021, UCE met with MACLAURY at MACLAURY’s home. Upon entering the apartment, MACLAURY said, “I have a bad habit of robbing Whole Foods...It is the easiest store in the world to fucking rob.” MACLAURY then explained to UCE how he robs the store, adding that he had surveilled the area in advance to determine if there was security and noting that he was a “pro.” MACLAURY then placed a reusable Whole Foods shopping bag on the kitchen counter and emptied it, showing UCE the stolen goods from Whole Foods. UCE estimates there was approximately \$300 in stolen foods in the bag. UCE asked MACLAURY if he paid for any of the food and he replied, “No.” MACLAURY made the comment later, “It’s gotta be my last time. I’m getting way too good at it.”

59. That evening, MACLAURY transferred his Sig Sauer sub-compact to UCE as part of the previously agreed-upon sale of the SBR from UCE to MACLAURY. UCE asked MACLAURY if he did any paperwork to document the transfer of the handgun to UCE and he said, “No.”

60. While at the MACLAURY’s apartment, UCE saw a bong sitting on the floor by the couch and asked if that was MACLAURY’s spot. MACLAURY said it was. MACLAURY then told UCE about a time ASSOCIATE 3 was in his apartment and requested MACLAURY to not smoke marijuana and MACLAURY responded that he wouldn’t. But MACLAURY reported that he then “went to the bathroom and ripped three bongs real quick.” Later that evening, MACLAURY crushed up some marijuana and mixed it with some tobacco, placed it in a bowl for the bong, fired it up, and smoked from the bong. MACLAURY did this approximately four

more times during the evening. UCE asked MACLAURY how often he smokes marijuana and he said, "I smoke more than I drink. In fact, you've known me mostly high." UCE then asked if MACLAURY smoked every day and he responded, "Yeah."

61. UCE asked MACLAURY how much marijuana he purchased and he held up a bag with marijuana in it and said, "This is one eighth of an ounce. And when that bag is full it looks like this." MACLAURY then held up a different, sealed bag with marijuana in it. MACLAURY explained that "for a heavy, every day smoker, it'll last me three days...I'm doing a half of an ounce every week...I'm buying a half for \$150 dollars...and that's from my unemployment because I'm a real life nigger these days. Uncle Sam gives me six hundred, a hundred and fifty of that shit goes to the weed man." MACLAURY then told UCE about the unemployment benefits he receives and said, "My philosophy is, if every other nigger, spic, is using it, I might as well."

62. UCE showed MACLAURY the SBR that MACLAURY agreed to purchase from UCE. UCE reiterated that MACLAURY did not have to purchase the rifle and said, "Adam, you're my boy. I'm not going to be hurt feelings, I'm not going to think less of you, if you don't want to do this man. Seriously, we haven't traded everything yet, but, I do wanna let you know man, this mother fucker's illegal." During these statements MACLAURY said, "I do want to do this, let's go....here, here's the money." UCE then told MACLAURY he did not want the money until the deal was finalized. MACLAURY expressed excitement to UCE about having a pistol and a rifle once the deal was completed. He made the comment he was going to start training regularly and said, "Once I get a brace on it, I'm going to start going."

63. UCE then explained why the firearm was illegal and said, "This is not glaringly illegal...it's not like this short. It's not like a pistol, clearly a pistol...it's probably like that." UCE made hand gestures signifying approximately six inches beyond the end of the barrel and indicating that if the rifle were six inches longer, it would be legal. MACLAURY then said, "I'm gonna put a pistol brace on it," an adjustment that would also make the gun legal to possess. UCE continued, "So it's probably like that much shorter than what's legal. So unless you know exactly what you're looking for, you're probably not going to see."

64. When discussing another pistol MACLAURY had recently purchased, UCE asked MACLAURY what paperwork he had to fill out to purchase his handgun and MACLAURY said, "They take my address. Which I did not give them this one," referring to the address of the apartment where he was living. MACLAURY explained that he gave "the one that's on my license. So I technically broke the law." The address that appears on MACLAURY's driver's license is not the address where MACLAURY resides.

65. I have subsequently reviewed the Firearm Transaction Records that MACLAURY completed as part of his purchases of pistols on February 18, 2021 and June 2, 2021. On both forms, MACLAURY checked "no" to indicate that he is not "an unlawful user of, or addicted to, marijuana." Additionally, on both forms, where the form requests the buyer's "Current State of Residence and Address," MACLAURY provides an address different than where he actually currently resides.

66. MACLAURY later told UCE about what he was supposed to do for a private firearm sale and said, "So as long as you don't use the Sig I'm giving you and kill anyone notable, there's nothing. Because here's the deal, in Virginia, private sales, totally, one hundred

percent, untraceable. All I'm supposed to do is conduct a background search, which I did, it's done." MACLAURY made this last statement sarcastically. He continued, "And then I'm supposed to keep a bill of sale, with your name, which I have. Oh, there was a flood." Again, MACLAURY said this last statement sarcastically. He finished, "That's it. We're not doing anything extra or illegal." UCE then made the comment that MACLAURY did not sell it to him and MACLAURY said, "I didn't sell it to you. I don't know who you are...but the point is, whoever I sold it to, my bill of sale was lost. I can't remember the guy's name. He was black, something, you want me to make up a name, Jerome." MACLAURY later said, "[to make a private sale] Write up a bill of sale...I wrote up a bill of sale." MACLAURY then grabbed a pad of paper and wrote "Bill of Sale" on it. He continued, "It just says write up a bill of sale...so, that's it. A bill of sale has been written."

67. MACLAURY told UCE about the form he had to fill out to purchase his handguns. UCE asked about a question on the form about being addicted to marijuana and MACLAURY answered, "They ask you if you are addicted to any illegal substances such as marijuana. I'm not addicted to anything...but you have to be a fucking asshole to be like, 'Yeah, I'm addicted to pot. Yeah man, I'm addicted to the pot. Can't stop the pot.' Like, anyone would be like 'fuck you dude, like fuck you. Like, I'm addicted to masturbating, you're not addicted to pot.'"

68. UCE asked if the gun shop asked about MACLAURY's address and he said, "Yeah, I lied. I assume that risk. But you know what? The President of the United States has a son that is a crack addict and who had his concealed given to him. My fucking parents sold their house a couple months during COVID pandemic, I couldn't get an ID fast enough, fuck you. I

did what I could to protect myself...I got an eight month old son. All right? That's why I'm armed. So, I'm not ashamed of what I had to do...look, like white, polite, our complexion, like, I technically broke the law as much as we're breaking the law...I walked in there. It's a Real ID, but I don't live there, and this is a gun...I stone faced lied and I have a concealed carry now at that address...but, see now, I'm gonna just start doing the paperwork to change my address. But the problem is, I don't live here...my grandma leases here."

69. UCE asked MACLAURY if he knew if the marijuana stores in DC sell mushrooms too and MACLAURY said, "I will follow up on that because I've got good relations. I actually owe them a hundred-fifty bucks." UCE asked if MACLAURY had credit there, and MACLAURY responded, "I've got great credit. It took me awhile to earn that status. Yeah, I got street cred now." UCE asked how much the store fronts to MACLAURY, and he responded, "A half. A hundred and fifty dollars worth. Yeah. They're just like, 'We know you're good.' I'm like, 'Yes.'"

70. MACLAURY told UCE a story about being in Georgetown, Washington, D.C. and said, "This woman was jogging and she ran right by me. And I was in Georgetown and I was carrying." UCE asked MACLAURY if he carried in Georgetown, and he replied, "I carry in D.C....the chances of me drawing on someone are so nill." UCE made comments rationalizing this and said it was a misdemeanor to do this. MACLAURY responded, "Whatever the fuck, I'd rather be alive." UCE asked if MACLAURY carried when he went to D.C. to purchase marijuana, and MACLAURY responded, "Yeah, sometimes, yeah."

71. On June 16, 2021 UCE picked up MACLAURY from his residence and drove him to Washington, D.C. Per UCE's request, MACLAURY directed UCE to a marijuana

dispensary called The Safe House located on the H Street Corridor in the Northeast quadrant of Washington, D.C. MACLAURY provided the driving directions to UCE from memory.

72. UCE requested advice for what type of marijuana to buy at the store and MACLAURY said, "When I go in there, I ask for the stuff that makes me fall asleep with my phone in my hand...that's literally what I say. And they give me indica." Based on my training and experience, I know that indica is a type of marijuana.

73. MACLAURY told UCE that he was in Washington, D.C. the previous weekend because it was the first weekend it was fully open since the COVID lock down. MACLAURY said, "So I went to Madam's Organ [a bar in Washington, D.C.], I bought a gram of blow...I think 50's a fair price for shitty street blow, for a gram." Based on my training and experience I understand "blow" to refer to cocaine.

74. During the trip on June 16, MACLAURY told UCE about how he discovered the marijuana store he took UCE to. MACLAURY said, "So, I'm waiting for a plug. Someone with a number, I'm meeting up...So my phone died. Can't meet the plug...I've only been going here since I'm back from California." Based on my training and experience, I understand "plug" to refer to a drug dealer. UCE then asked what a half ounce of marijuana cost in California, and MACLAURY answered, "I used to get, like \$60...so, I was waiting to meet the plug, around here actually." UCE asked MACLAURY what his marijuana hook up was before he moved to California, and MACLAURY responded "My hookup, was whatever. Like, there's a website called where's weed DC and you can lookup numbers and call them." UCE asked if MACLAURY was going to buy any marijuana at the store, and MACLAURY said, "No, I

bought my half ounce a couple days ago. Actually, last night...two nights ago...Cause I got mad at [the mother of MACLAURY's child] and I just wanted to fucking smoke."

75. During the car ride, a driver cut UCE's vehicle off. MACLAURY commented about the other driver that "he just niggered you hard core. Welcome to DC...And, is your pistol on you?" UCE asked MACLAURY if he was carrying his weapon, and MACLAURY replied, "No, I don't carry in DC. I mean, I do sometimes, only when I'm passing through."

76. When UCE and MACLAURY arrived at the marijuana store, MACLAURY knew one of the salesman and said hi to him outside the store. The salesman acknowledged that he knew MACLAURY too. MACLAURY said to the salesman, "What's up Ty? I brought a new client for you." Inside the store, UCE asked if he knew the salesmen in the store and MACLAURY said, "Yeah, that's Ty. The other one is called Mike." One of the salesmen saw MACLAURY and said, "Adam, what you doing back there Adam?" Upon getting to the counter, the salesman said, "Adam 22 (unintelligible)." MACLAURY said, "[UCE] would like a \$150 postcard of indica's." The salesman later said, "Adam got a friend. I like that. Adam's a good person." UCE later asked MACLAURY if he had a credit at the store and he said, "Yeah...it's an amazing thing going." UCE purchased four 1/8 ounce bags of marijuana for \$150.

77. UCE and MACLAURY left the store and drove away in UCE's car. MACLAURY asked UCE, "Mind if I roll the window down? Smell the nigger air." As the two drove to the bar, they saw a dirt bike gang in front UCE's vehicle and MACLAURY said, "You're gonna want to get around these fucking niggers...this is a biker gang up ahead. Nigger biker gang...like if I had it my way man, I'd fucking sit here with my future AR out the

window and..." MACLAURY then made shooting sounds and hand gestures of shooting a rifle. Later, UCE and MACLAURY drove past a mixed-race couple where the woman appeared to be white and MACLAURY thought the man was Persian. MACLAURY commented, "She's hot. With just another middle eastern dude I wouldn't mind kicking the shit out of...go back to Persia."

78. UCE later asked MACLAURY if he knew of any other marijuana stores and MACLAURY responded, "I don't know. That's just the one I know and I'm a creature of habit...like they front me right now on credit...I'm good now. That's why I went the other day. I went to clear out my debt. And I picked up...I paid \$300."

79. Later in the conversation, UCE asked MACLAURY if he would be taking his gun to a cabin he had rented for the weekend in West Virginia and MACLAURY said, "My gun's at home but I will have it with me." He also said that he had already taken his marijuana out to West Virginia for the weekend.

80. Upon arriving in the Adam's Morgan neighborhood, MACLAURY saw a sign reading, "Protect black and brown children." MACLAURY responded, "That's just a street sign now." UCE made a comment about things turning into South Africa, and MACLAURY responded, "Real quick...over my dead body bro. Quite literally, over my dead body."

81. At the end of the evening on June 16, UCE drove MACLAURY back to MACLAURY's house. During the drive, UCE asked MACLAURY about going back to the marijuana store and MACLAURY said, "Yeah, they know me. Yeah, I call sometimes when I need the front. 'Hey, is Ty there? I need to speak to Ty, this Adam.'"

82. On June 24, 2021 at a meeting between UCE and MACLAURY, MACLAURY told UCE that the planned to stop smoking marijuana. MACLAURY told UCE that he went into Washington, D.C. on June 19, 2021 for a date and that he “got way too drunk,” and then when he got home, he smoked marijuana and used cocaine. MACLUARY told UCE that he purchased the cocaine from a bartender that evening. MACLAURY then said that on June 23, 2021, he had gone into Washington, D.C. to celebrate his birthday, and that he finished consuming the cocaine he had previously purchased.

83. MACLAURY indicated he was now done using marijuana and cocaine because he was “too old” and that he can’t “party like [he] used to.” He stated, “I mean, I smoke so much, I’m perpetually cotton-mouthed. Just perpetually.” MACLAURY indicated that he threw away all of his drug paraphernalia that day, including his bong and rolling papers. He also indicated that he ran out of marijuana and that even though he had been smoking for ten years, he now wanted to take a break.

84. On the evening of July 1, 2021, MACLAURY and UCE met at a coffee shop in Vienna, Virginia in order to complete the sale of UCE’s SBR to MACLAURY. MACLAURY and UCE chatted in the coffee shop, and MACLAURY showed UCE a sunglasses case with numerous \$20 bills. UCE and MACLAURY proceeded to UCE’s car. Inside the vehicle, MACLAURY gave UCE \$600 in 20 bills and UCE counted it in front of the camera. After counting, UCE told MACALURY, “I’ll pretend I didn’t take this money yet. One last time man, you want to do this, right?” MACLAURY answered, “Mm-hm [shook head in the affirmative]...Am I about to be set up? Am I about to [unintelligible] ATF guys about to roll in here.” The last statements were made in a joking matter. UCE asked if MACLAURY has any

5.56 ammo and MACLAURY said, "Not yet. I've been waiting for this to come and I'm going to order some now."

85. MACLAURY took possession of the firearm. MACLAURY checked the functioning of the weapon after he took possession of it and MACLAURY asked questions about its functioning. UCE ensured MACLAURY agreed that to say that the firearm did not come from UCE and MACLAURY said, "No, it did not. [shakes UCE's hands] No it did not come from you."

86. While possessing the rifle, MACLAURY asked UCE, "Let me ask you before we go into the fun stuff. We're in a group and all of a sudden, like, I'm gonna have a rifle. What do I tell these fucking guys?...It's sick that we have similar rifles and sig sauer's...All right, my uncle sold this to me. All right, yeah. My uncle, he's in the klan. You got any questions you can just ask him."

87. UCE told MACLAURY he needed to leave and put the rifle in a green duffle bag and gave it to MACLAURY. MACALURY said, "Thank you man...Dude, it's Christmas in July...Thank you." He then fist bumped UCE. MACLAURY began to get out of truck with gun in bag and said, "You want me to return this? This is a really nice bag."

88. The entire transaction in the vehicle lasted approximately six minutes. During the first minute, UCE accepted and counted the money from MACLAURY and asked MACLAURY if he was sure he wanted to proceed. For the final five minutes, UCE and MACLAURY discussed the weapon and the deal.

89. FBI SWAT affected the arrest of MACLAURY as he was attempting to exit the vehicle with the rifle in the bag.

90. UCE and MACLAURY completed no paperwork to document the transaction, and the SBR is not registered in accordance with the requirements of the NFA. The firing pin of the SBR had been shaved down so that the gun would not fire. Based on my training and experience, as well as my consultation with other law enforcement agents, I know the SBR could be readily restored to operable condition.

91. After being arrested, MACLAURY immediately began to disclaim responsibility, suggesting he had been pressured to purchase the gun, that he had not intended to go through with the transaction, and that he did not know what he was doing when it came to guns. He also indicated he wanted to speak to a relative of his who was an attorney. He said that he wanted the gun for home defense and noted that he had a child. MACLAURY was advised not to speak but continued to make statements to the arresting officers. MACLAURY later disclaimed asking for an attorney but was not interviewed or questioned.

CONCLUSION

92. Based on the foregoing, I submit there is probable cause to believe that ADAM MACLAURY has violated Title 18 U.S.C. §§ 922(g) (possession of firearm by unlawful user of controlled substance) and 924(a)(1)(A) (false statement on firearms purchase forms) and Title 26 U.S.C. § 5861 (possession of an unregistered firearm).

Respectfully submitted,



Jason Jankovitz
Special Agent
Federal Bureau of Investigation

Subscribed and sworn pursuant to Fed. R. Crim. P. 4.1 by telephone on July 2, 2021.

John F. Anderson Digitally signed by John F.
Anderson
Date: 2021.07.02 13:39:47 -04'00'

The Honorable John F. Anderson
UNITED STATES MAGISTRATE JUDGE